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# **CONLEY'S TRIAL WAITS ON THE SUPREME COURT**

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**Judge Hill Will Not  
Dispose  
of It Until Frank  
Case  
Is Settled.**

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Despite the assertion of William M. Smith, attorney for Jim Conley, that he would demand an early trial for the negro sweeper, whose testimony did most to convict Leo Frank of the murder of Mary Phagan, it was reported late Monday that Judge Ben Hill, of the criminal branch of the superior court, would not

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place the case for trial until after the retrial motion now before the supreme court was disposed of.

Judge Ben Hill is acting on his own initiative in the matter and his position is opposed to that of both counsel for the negro and Solicitor General Dorsey.

Solicitor General Dorsey wishes to dispose of the charges against Conley and have him sentenced and sent to the penitentiary.

On the other hand, while just as anxious for trial, Attorney Smith wants to have his man freed. Last week, Attorney Smith declared that there was no law on the Georgia statutes under which his negro client could be tried. However, many learned attorneys have since pointed out several sections of the criminal law which amply cover Conley's case.

Conley's trial, on charges of being an accessory after the fact in the Phagan murder, was supposed to come up on Monday. There was no mention of it made about the criminal branch of the superior court and, according to attaches, Judge Hill himself passed over the case until he hears from the higher courts.

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